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P.2.

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

I hereby certify that this transmittal of the below described document is being deposited with the United States Postal Service in an envelope bearing First Class Postage and addressed to the Commissioner for Patents P.O. Box 1450, Alexandria, VA 22313-1450, on the below date of deposit.

Date of Deposit:	8/5/2003	Name of Person Making the Deposit:	JACQUELINE COYNE	Signature of the Person Making the Deposit:	<i>Jayne</i>
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In re Application of: Laubach, et al.

Serial No.: 09/398,267

Examiner: Pizarro, R. M.

Filed: 9/17/1999

Art Unit: 2661

For: MULTI-CHANNEL SUPPORT FOR VIRTUAL PRIVATE NETWORKS IN A PACKET **RECEIVED**  
SYSTEM

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

AUG 13 2003  
Technology Center 2600

**RESPONSE TO RESTRICTION/ELECTION REQUIREMENT**

1. Transmitted herewith is an amendment for this application

☒ Transmitted herewith is a response to an office action for the above identified patent application.  
( 2 sheets)  
Transmitted herewith are \_\_\_\_\_ sheets of substitute formal drawings.  
Other: \_\_\_\_\_

2. Applicant is other than a small entity

**Extension of Term**

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply.

(a) [ ] Applicant petitions for an extension of time under 37 C.F.R. 1.136  
(fees: 37 C.F.R. 1.17(a)-(d) for the total number of months checked below:)

<u>Extension</u>	<u>Fee</u>
[ X ] one month	\$110.00
[ ] two months	\$410.00
[ ] three months	\$930.00
[ ] four months	\$1,450.00

**Fee \$ 110.00**

If an additional extension of time is required, please consider this a petition therefor.

(b) [ ] Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

08/12/2003 KBETEHAI 00000012 09398267

01 FC:1251

110.00 DP

**Fee Calculation**

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

<b>(for other than a small entity)</b>					
Fee Items	Claims Remaining After Amendment	Highest Number of Claims Previously Paid For	Present Extra Claims	Fee Rate	Total
Total Claims	6	- 10 =	0	x \$18.00	\$0.00
Independent Claims	2	- 3 =	0	x \$84.00	\$0.00
Multiple Dependent Claim Fee (one or more, first added by this amendment)				\$260.00	\$0.00
<b>Total Fees</b>					<b>\$0.00</b>

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**PAYMENT OF FEES**

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5. The full fee due in connection with this communication is provided as follows:

- ☒ The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No.: 23-0085.  
A duplicate copy of this authorization is enclosed.
- ☒ A check in the amount of \$110.00
- ☐ Charge any fees required or credit any overpayments associated with this filing to Deposit Account No.: 23-0085.

Please direct all correspondence concerning the above-identified application to the following address:

**WAGNER, MURABITO & HAO LLP**  
Two North Market Street, Third Floor  
San Jose, California 95113  
(408) 938-9060

Respectfully submitted,

Date: August 5, 2003By: 

Mehlin Dean Matthews  
Reg. No. 46,127



COM21-P004.DIV1

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of :

Laubach et al.

Serial No.: 09/398,267

Filed: 9/17/99

For: MULTI-CHANNEL SUPPORT FOR )  
VIRTUAL PRIVATE NETWORKS )  
IN A PACKET TO ATM CELL )  
CABLE SYSTEM )

Examiner: PIZARRO, R.M.

Art Unit: 2661

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RESPONSE TO OFFICE ACTION

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action mailed June 10, 2003 for the above captioned patent application, Applicants respectfully request consideration of the following remarks.

REMARKS

The requirement for restriction and comments of the Examiner set forth in the Office Action dated June 10, 2003 have been carefully reviewed by the Applicants.

A requirement for restriction has been made under 35 U.S.C. 121. Three distinct inventions have been identified by the three sets of claims shown below:


- I. Claim 33, drawn to a Subscriber terminal unit, classified in class 455, subclass 557.
- II. Claims 34-35, drawn to a Head End Controller, classified in class 455, subclass 5.1.
- III. Claims 36-38 and 68-71, drawn to a Communications System, classified in class 370, subclass 352+.

In order to comply with the requirement for restriction, the Applicant elects set III (Claims 36-38 and 68-71) for prosecution in the present application. The Office Action describes Set I has consisting of Claim 3, and Set III as consisting of Claims 36-38 and 68-70. In order to account for all of the pending Claims 33-38 and 68-71, the Applicant assumes that Set I consists of Claim 33 and Set III consists of Claims 36-38 and 68-71.

Respectfully submitted,

WAGNER, MURABITO & HAO

Date: August 5, 2003

  
Mehlin Dean Matthews  
Registration Number: 46,127

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